

**16-6a-1408 Enforcement of claims against dissolved nonprofit corporation.**

- (1) Subject to Subsection (2), a claim may be enforced under Section 16-6a-1406 or 16-6a-1407:
  - (a) against the dissolved nonprofit corporation to the extent of its undistributed assets; and
  - (b) if assets have been distributed in liquidation, against any person, other than a creditor of the nonprofit corporation, to whom the nonprofit corporation distributed its property.
- (2) Notwithstanding Subsection (1), a distributee's total liability for all claims under this section may not exceed the total value of assets distributed to the distributee, as the value is determined at the time of distribution.
- (3)
  - (a) A distributee required to return any portion of the value of assets received by the distributee in liquidation shall be entitled to contribution from all other distributees.
  - (b) Each contribution under Subsection (3)(a):
    - (i) shall be in accordance with the contributing distributee's rights and interests; and
    - (ii) may not exceed the value of the assets received by the contributing distributee in liquidation.

Enacted by Chapter 300, 2000 General Session